UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

ENOVSYS LLC,

Plaintiff,

v.

VERIZON COMMUNICATIONS, INC., VERIZON BUSINESS NETWORK SERVICES, INC., VERIZON ENTERPRISE SOLUTIONS, LLC, CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS, INC., VERIZON DATA SERVICES LLC, VERIZON BUSINESS GLOBAL, LLC, and VERIZON SERVICES CORP.,

Defendants.

Case No. 2:21-cv-00315-JRG-RSP

<u>DEFENDANTS' REPLY REGARDING THEIR PARTIAL MOTION TO DISMISS</u> <u>PLAINTIFF'S ORIGINAL COMPLAINT</u>

Defendants submit this reply regarding their partial motion to dismiss Plaintiff's original complaint (Dkt. 25). Plaintiff has filed an amended complaint (Dkt. 35) within the time period permitted under Federal Rule of Civil Procedure 15(a)(1)(B). Accordingly, without waiving their arguments, Defendants acknowledge that their partial motion to dismiss the original complaint is moot. Defendants will be filing a new partial motion to dismiss Plaintiff's amended complaint.

Dated: November 26, 2021 Respectfully submitted,

By: /s/ Geoffrey M. Godfrey
Geoffrey M. Godfrey
Erin Kolter (pro hac vice)
Janelle Luceria Elysee (pro hac vice)
DORSEY & WHITNEY LLP
Columbia Center

701 Fifth Avenue, Suite 6100 Seattle, WA 98104-7043 Phone: (206) 903-8800 Fax: (206) 903-8820 godfrey.geoff@dorsey.com kolter.erin@dorsey.com elysee.janelle@dorsey.com

Melonie S. Jordan (pro hac vice) DORSEY & WHITNEY LLP Plaza Tower 600 Anton Boulevard, Suite 2000 Costa Mesa, CA 92626 Phone: (714) 800-1400 Fax: (714) 800-1499 jordan.melonie@dorsey.com

Michael E. Jones POTTER MINTON, P.C. 110 North College Avenue, Suite 500 Tyler, TX 75710 Phone: (903) 597-8311 Fax: (903) 593-0846 mikejones@potterminton.com

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on November 26, 2021, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

/s/ Geoffrey M. Godfrey
Geoffrey M. Godfrey